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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 118/2019

RAJIV SODHI

..... Petitioner

Through: Mr T.P.S. Kang and Ms Palak
Nenwani, Advocates.

versus

COMMISSIONER OF POLICE & ORS

..... Respondents

Through: Mr Sanjay Lao, Addl. Standing
Counsel with Mr Karanjeet Sharma,
Advocate for State.
SI Rohit Kumar, PS Vasant Kunj,
South.
Mr R.S. Jakhar and Mr Vikram Singh
Jakhar, Advocates for R-4 to 6.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.09.2019

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent nos. 1 to 3 to take action on the complaint filed by the petitioner and to investigate the matter.
2. The petitioner has further prayed that directions be issued to respondent nos. 1 to 3 to grant appropriate protection to the petitioner till the disposal of the present case.
3. A status report has been filed which indicates that there are certain disputes pertaining to the land located at Khasra No. 1920, Vasant Kunj, New Delhi. The learned counsel appearing for the petitioner also confirms the same. She submits that civil proceedings have been filed and interim

protection has also been granted to the petitioner. She submits that notwithstanding the interim orders passed by the civil court, respondent nos. 4 to 7 have failed to comply with the same and respondent nos. 1 to 3 have not acted to prevent them from doing so.

4. The status report also indicates that proceedings under Section 145 of the CrPC have been initiated against both the petitioner and respondent nos. 4 to 7, as both the have sought assistance/protection from the police.

5. Mr Lao, learned ASC appearing for the State submits that police officials have visited the site on calls received by the petitioner as well as respondent no.4. (Sh Javid Ahmed Bhat)

6. I have heard the learned counsel appearing for the petitioner and respondent nos. 1 to 4.

7. Insofar as the prayer that directions be issued to respondent nos. 1 to 3 to investigate the matter is concerned, the petitioner has an alternate remedy of approaching the concerned police authorities under Section 154(3) of the CrPC failing which, the petitioner is also at liberty to approach the Magistrate under Section 156(3) of the CrPC. In this view, no orders are required to be passed by this Court.

8. Insofar as the prayer for protection is concerned, it is seen that both the parties (the petitioner on one part and respondent nos. 4 to 7 on the other part) have sought relief from the police authorities. As stated in the status report, proceedings under Section 145 Cr.P.C. have also been initiated. In this view, this Court considers it apposite to direct the concerned executive

magistrate to examine the report submitted by the police authorities and ensure that an appropriate order is passed to ensure that none of the parties suffer any harm.

9. No further orders are required to be passed in this petition. The same is disposed of leaving it open for the petitioner to avail of alternate remedies.

SEPTEMBER 24, 2019
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VIBHU BAKHRU, J